

REMARKS

Claims 11-17 and 25-37 remain for consideration. Claims 1-10 and 18-24 correspond to non-elected claims. Claims 11, 12, 14 and 15 have been amended to more precisely claim Applicants' invention. The amendment to claim 11 is supported by the specification, for example, at page 6, lines 4-10 and page 20, lines 19-21. The amendment of claim 12 is supported by the specification, for example, at page 23, lines 8-16. The amendment of claim 14 is supported by the specification, for example, at page 20, lines 16-18. The amendment of claim 15 is supported by the specification, for example, at page 11, lines 1-5 and page 12, lines 1-4.

New claims 25-28 are supported by the specification, for example, at page 6, lines 4-5 and page 10, lines 2-7. New claim 30 is supported by the specification, for example, at page 7, lines 13-15 and page 11, lines 6-8. New claim 31 is supported by the specification, for example, at page 21, lines 17-21. New claim 32 is supported by the specification, for example, at page 15, lines 2-8 and page 21, lines 17-21. New claim 33 is supported by the specification, for example, at 22, lines 8-12 and page 23, lines 1-7. New claim 34 is supported by the specification, for example, at page 17, lines 15-17. New claim 35 is supported by the specification, for example, at page 7, lines 3-5. New claim 36 is supported by claim 3, as filed. New claim 37 is supported by claim 4, as filed.

No new matter is introduced by the amendments or by the new claims.

Restriction/Election

The Examiner imposed a restriction/election requirement under 35 U.S.C. 121, indicating that the application had four distinct inventions. Applicants hereby elect group III, claims 11-17 without traverse.

Applicants respectfully request favorable consideration of the pending claims.

The Director of the Patent and Trademark Office is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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MARKED-UP CLAIM AMENDMENTS

Claims 11, 12, 14 and 15 were amended as follows:

11. (Amended) An orthopedic treatment control system comprising:

- a) a first computer;
- b) a communication system allowing communication between [a pair of distinct computers] the first computer and another computer; and
- [b.] c) an analysis interaction algorithm performed by the first computer, wherein the analysis interaction algorithm automatically evaluates and updates a patient's treatment protocol.

12. (Amended) The system of claim 11 [and further comprising the step of: a. providing] wherein the analysis interaction protocol accesses a database of standardized orthopedic treatment protocols and patient outcomes [to allow] and performs comparisons of potential outcomes for a patient to be treated.

14. (Amended) The system of claim [13 and further comprising the step: including contingent or conditional logic within the treatment protocol to allow for] 11 wherein the analysis interaction algorithm performs real time [invention] intervention.

15. (Amended) The system of claim 11 [and] wherein the communications system is selected from the group consisting of: communications between two [file] servers; communications between two [mainframe] central computers; wireless communications between two microprocessors; communications between a microprocessor and a central computer; and Internet communications.

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